

DETAILED ACTION

Allowable Subject Matter

1. Claims 4, 5, 24, 25, 72-79, 84-90, 92, and 103 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter: The use of a graphical user interface to select from a plurality of potential reservation paths, and reserving bandwidth along a path based upon its selection from the GUI is not taught in the prior art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 98-102 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu et al. (US Patent 6,744,767) in view of Datta et al. (US Patent 6,209,033).
5. In regard to claim 98, Chiu disclosed *a machine-readable storage medium having stored thereon instructions that, if executed by a first media aggregation device within a network, cause the first media aggregation device to perform a method comprising:*
receiving a request from a computer system to establish a single reservation protocol session between the first media aggregation device and a second media aggregation device within the network, wherein the request is received from a program running on the computer ..., and wherein the program permits a user to select the

Art Unit: 2445

projected link utilization in order to cause the reservation protocol session to be established; Chiu, column 5, lines 49-58

in response to receiving the request, establishing the single reservation protocol session by reserving bandwidth from a plurality of routers along the first path; and Chiu, column 5, lines 49-58

allocating the reserved bandwidth among a plurality of application sessions, each of which is between one of a first plurality of communication devices coupled to the first media aggregation device and one of a second plurality of communication devices coupled to the second media aggregation device. Chiu, column 5, lines 49-58

Chiu failed to disclose a system to *display a projected link utilization illustrating predicted bandwidth usage for a plurality of routers along a first path of a plurality of paths between the first and second media aggregation device.* Datta in the analogous field of network capacity and evaluation planning disclosed measuring and displaying forecasted usage of a network over a link. Datta, column 6, lines 22-26, lines 45-65.

Datta suggests such a combination in column 6, lines 22-32 by discussing a need to monitor current network characteristics, and applying plans on a short term basis to provide timely communication services. Chiu further aids this by being designed to reallocate data flows bandwidth for periods of congestion. Chiu, column 3, line 52 - column 4, line 13. It would have been obvious to one of ordinary skill in the art at the time of invention to modify Chiu with Datta to allow for the reallocation of bandwidth to decrease congestion along selected paths to provide the best possible service to prioritized channels of data users.

Art Unit: 2445

6. In regard to claim 99, Chiu disclosed *the established reservation protocol session is a resource reservation protocol (RSVP) session*. Chiu, column 15, lines 29-42

7. In regard to claim 100, Chiu disclosed *receiving a request for an amount of bandwidth from one of the plurality of application sessions; and in response to determining that the requested amount of bandwidth is available along the first path, allocating the requested amount of bandwidth to the application session*. Chiu, column 13, lines 23-38

8. In regard to claim 101, Chiu disclosed *the program further permits a user to request that the established reservation protocol session be torn down after the reservation protocol session has been established, and wherein the method further comprises: receiving, from the program, an additional request to tear down the established reservation protocol session; and in response to receiving the additional request, tearing down the established reservation protocol session*. Chiu, column 14, lines 12-20. When a customer asks for a session to be torn down, the customer is not currently subscribed to a route

9. In regard to claim 102, Chiu disclosed *one of the plurality of application sessions is an internet telephony session*. Chiu, column 3, line 38

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Pan et al. US 7,606,146

Art Unit: 2445

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571)272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2445

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jeffrey R. Swearingen
Examiner
Art Unit 2445

/J. R. S./
Examiner, Art Unit 2445

/VIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2445